

FILED

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2013 SEP 24 PM 3:34
 CLERK U.S. DISTRICT COURT
 CENTRAL DIST. OF CALIF.
 SANTA ANA

5 Attorney for Plaintiff
 6
 7

8 **UNITED STATES DISTRICT COURT**
 9 **SOUTHERN DISTRICT OF CALIFORNIA**

10 CARLA MARIA CREHIN,)	CASE NO.: SACV13-01497 SVW (JPRx)
11 Plaintiff,)	
12 v.)	
13 ARS NATIONAL SERVICES)	COMPLAINT FOR VIOLATION OF
14 Defendant.)	FAIR CREDIT REPORTING ACT, AND
)	CALIFORNIA CONSUMER CREDIT
)	REPORTING AGENCIES ACT
)	DEMAND FOR JURY TRIAL

16
 17 Plaintiff, CARLA MARIA CREHIN, (hereinafter "Plaintiff"), through his counsel brings his
 18 complaint against, ARS NATIONAL SERVICES, (hereinafter "Defendant"), for violations of the
 19 Fair Credit Reporting Act, 15 U.S.C. § 1681 *et seq.* (hereinafter "FCRA"), and California
 20 Consumer Credit Reporting Agencies Act, California Civil Code § 1785 .25 *et seq.* ("CCRAA"),
 and alleges as follows:

21 **PRELIMINARY STATEMENT**

22 1. Congress enacted the FCRA to establish consumer rights to privacy over their
 23 credit and financial information and to ensure the "accuracy and fairness of credit reporting." 15
 24 U.S.C. § 1681.

25 2. The FCRA, under Congressional Findings and Statement of Purpose, 15 U.S.C. §
 26 1681(a)(4) reads in relevant part: "there is a need to insure that consumer credit reporting agencies
 27 exercise their grave responsibilities with fairness, impartiality, and a respect for the consumer's
 28

1 right to privacy.”

2 3. The FCRA, under Congressional Findings and Statement of Purpose, 15 U.S.C. §
3 1681(b) reads in relevant part: “Reasonable procedures. It is the purpose of this title to require that
4 consumer reporting agencies adopt reasonable procedures for meeting the needs of commerce for
5 consumer credit, personnel, insurance, and other information in a manner which is fair and
6 equitable to the consumer with regard to the confidentiality, accuracy, relevancy, and proper
7 utilization of such information in accordance with the requirements of this title.”

8 4. The statute governing “permissible purposes of consumer reports,” FCRA 15
9 U.S.C. §1681b, provides in pertinent part: “(a) In general. Subject to subsection (c) of this
10 section, any consumer reporting agency may furnish a consumer report under the following
11 circumstances and no other.”

12 5. Thus the strictly limited provisions set forth in §1681b operate to support the
13 confidentiality of consumer reports by limiting their dissemination.

14 6. The FCRA regulates credit reporting agencies as well as creditors, collection
15 agencies, and other parties who provide information to credit reporting agencies and/or obtain and
16 use the consumer credit reports. 15 U.S.C. §1681b identifies the permissible purposes allowed
17 under the act for conducting credit reviews on consumers.

18 7. 15 U.S.C. §1681n and §1681o, create private right of action consumers can bring
19 against violators of any provision of the FCRA with regards to their credit. In *DiMezza v. First*
20 *USA Bank, Inc.*, 103 F. Supp.2d 1296, 1300 (D.N.M. 2000) the court confirmed that “...the plain
21 language of [15 U.S.C. § 1681n and §1681o] provide a private right of action for a consumer
22 against furnishers of information who have willfully or negligently failed to perform their duties
23 upon notice of a dispute...there is a private right of action for consumers to enforce the
24 investigation and reporting duties imposed on furnishers of information.” *DiMezza v. First USA*
25 *Bank, Inc.*, 103 F. Supp.2d 1296, 1300 (D.N.M. 2000).

26 8. CCRAA was implemented to protect the credit information of California
27 consumers. CCRAA also regulates consumer credit reporting agencies and furnishers of
28 information with respect to personal, credit and other financial information submitted and

maintained in their credit file. CCRAA in California Civil Code § 1785.25-1785.26 refrains furnishers of information from reporting information that they know or should have known was erroneous, and obligates furnishers to cease credit reporting of information disputed by consumers without notice of such dispute.

9. Similar to FCRA Section 604, 15 U. S. C. §1681b, California Civil Code §1785.11 identifies the lawful reasons that would allow for a credit review on any given consumer.

10. CCRAA provides consumers with the right to be informed of negative credit reporting and the right to dispute information in their credit reports, which they believe is incomplete and/or inaccurate. Consumers also have the right to bring civil action against violators of any provision of the CCRAA with respect to their rights and their credit, and to seek monetary damages. California Civil Code §1785.19 and §1785.31.

11. *Sanai v. Saltz, et al.*, (Cal. App. 2d Dist. Jan. 26, 2009) established that consumers may replead their FCRA claims as violations of the CCRAA and that the state claims are not preempted by FCRA. In further support, courts have uniformly rejected creditors' and consumer reporting agencies' arguments that the FCRA bars state law claims. See *Sehl v. Safari Motor Coaches, Inc.*, U.S.D.C. N.D. Cal. 2001; *Harper v. TRW*, 881F. Supp. 294 (U.S.D.C. S.D. Mich. 1995); *Rule v. Ford Receivables*, 36 F. Supp.2d 335 (U. S.D.C. S.D. Va. 1999); *Watkins v. TransUnion*, 118 F. Supp.2d 1217 (U.S.D.C. N.D. Ala. 2000); *Swecker v. Trans Union*, 31 F. Supp.2d 536 (U. S.D. C. E.D. Va. 1998); *Sherron v. Private Issue by Discover*, 977 F. Supp. 2d 804 (U.S.D.C. N.D. Miss. 1997); *Hughes v. Fidelity Bank*, 709 F. Supp.2d 639 (U.S.D.C. E.D. Pa. 1989).

JURISDICTION

12. Jurisdiction of this court arises under 15 U.S.C. § 1681p and 28 U.S.C. § 1331

13. Plaintiff has performed all conditions precedent to the bringing of this action.

14. Defendant regularly conducts business in the state of California, therefore establishing personal jurisdiction.

15. Venue in this District is proper pursuant to 28 U.S.C. § 1391(a) and 15 U.S.C. § 1681, in that Defendant regularly conducts business in this District and the occurrences which give

rise to this action occurred in this district. Further, Plaintiff resides in this district.

16. Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff hereby demands a jury trial on any and all issues qualified for a jury trial.

PRIVATE RIGHT OF REMEDY

17. 15 U.S.C. § 1681n and § 1681o refer to consumer' ability to bring civil liability action against users/furnishers of information for willful and negligent noncompliance respectively, with any provisions of the FCRA.

18. *Gorman v. MBNA America Bank, N.A.* No. 06-17226 further established that consumers are entitled to a private remedy against Furnishers for noncompliance with their obligations enforced under § 1681s-2(b).

PARTIES

19. Plaintiff, CARLA MARIA CREHIN, a natural person, is an adult individual who resides in the Ladera Ranch, in the County of Orange, in the State of California.

20. Plaintiff is a consumer as defined by 15 U.S.C § 1692a(3), and is a "person" as defined by 15 U.S.C. § 1681a(b).

21. Plaintiff is informed, believes, and thereon alleges that Defendant is a Corporation, and regularly conducts business in the state of California.

22. Defendant operates as a collection agency as defined in 15 U.S.C. § 1681a(b) and a furnisher of information as defined by 15 U.S.C. §1681s-2 of the FCRA.

23. Wherever this complaint alleges that any Defendant did any act or thing, it is meant that it, its directors, officers, agents, employees, or the directors, agents or employees of its subsidiaries, performed or participated in such act or thing, and in each instance that such act or thing was authorized or ratified by, and done on behalf of and under the direct control of that Defendant.

24. Plaintiff is informed and believes and thereon alleges that Defendant is responsible for the acts, occurrences and transactions as officers, directors, or managing agents of Defendant or as its agents, servants, employees and/or joint venturers and as set forth in this complaint, and that each of them is legally liable to Plaintiff as set forth below and herein:

b. Said officers, directors, or managing agents of Defendant personally authorized, approved of, adopted, and/or ratified the acts alleged herein or the agents, servants, employees and/or joint venturers of Defendant did so act;

d. Said officers, directors or managing agents of Defendant personally had close supervision of their agents, servants, employees and/or joint venturers of Defendant;

f. Said officers, directors or managing agents of Defendant personally failed to investigate the circumstances appertaining to the acts alleged herein. They also failed and refused to repudiate the herein alleged actions and failed to redress the harm done to Plaintiff. Further, said officers, directors or managing agents, servants, employees and/or joint venturers of Defendant, even after learning of the acts of the agents, servants, employees and/or joint venturers of Defendant

25. Defendant is liable to Plaintiff for the relief prayed for in this Complaint, and any future amended Complaint. Further, Plaintiff alleges that each act alleged herein, whether by a named Defendant was expressly authorized or ratified by the Defendant.

VIOLATION OF THE FAIR CREDIT REPORTING ACT

27. On or around August 2012, Plaintiff obtained his consumer reports from TransUnion, Equifax, and Experian and was shocked to find that Defendant had placed inaccurate and derogatory information in Plaintiff's Experian consumer report regarding a non-existent

1 alleged debt Defendant was attempting to collect on 12/5/2011 without Plaintiff's knowledge or
2 authorization.

3 28. Experian is a consumer reporting agency within the meaning of FCRA, 15 U.S.C.
4 §1681a(f).

5 29. Consumer report is a consumer report within the meaning of the FCRA, 15 U.S.C.
6 §1681a(d).

7 30. Upon research and review of company's profile available online, Plaintiff learned
8 that Defendant is collection agencies that is in the business of collecting consumer debts.

9 31. Upon information and belief, at some point Defendant must have tried to purchase
10 debts alleged to be owed by Plaintiff, considered purchasing debts alleged to be owed by Plaintiff,
11 been assigned debts alleged to be owed by Plaintiff, or looked into Plaintiff's history as a potential
12 debtor for overdue and unsatisfied account balances to collect on. At no point prior to the credit
13 reviews did Plaintiff know of any such debts confirmed or alleged by Defendant to be the
14 responsibility of the Plaintiff.

15 32. Defendant violated 15 U.S.C. §1681 by running credit inquiries into Plaintiff's
16 consumer credit reports maintained by and with one or more of the three major credit reporting
17 agencies, Experian, Equifax, and TransUnion, without Plaintiff's knowledge or authorization, and
18 without having permissible purposes for conducting a credit review as defined under 15 U.S.C. §
19 1681b.

20 33. Specifically, on 12/5/2011, Defendant violated 15 U.S.C. §1681, by pulling
21 Plaintiff's consumer credit reports without the knowledge or consent of Plaintiff. Plaintiff had not
22 requested reports from the Defendant for purpose of extending credit, employment, insurance
23 underwriting, or any other purposes allowed under this section. (Exhibit "A").

24 34. At or about the time Defendant initiated the credit pulls of Plaintiff's consumer
25 report:

26 a. Plaintiff did not authorize consumer reporting agency to furnish his
27 consumer report to Defendant;

28 b. Plaintiff did not authorize Defendant to obtain his consumer reports from

1 consumer reporting agencies;

2 c. Plaintiff did not apply for any credit, loans, or services with Defendant;

3 d. Plaintiff did not have any contractual relationship for credit, loans or
4 services with Defendant;

5 e. Plaintiff did not owe any debts to the Defendant;

6 f. Plaintiff did not owe any debt as the result of a judgment to any Defendant;

7 g. Plaintiff did not apply for any employment with Defendant

8 h. Plaintiff did not apply for any insurance with Defendant

9 i. Plaintiff did not have any existing account(s) within the meaning of the
10 Electronic Fund Transfer Act ("EFTA") § 903(2), pursuant to 15 U.S.C. § 1681a(f)(4)
11 "the term 'account' means a demand deposit, savings deposit, or other asset account (other
12 than an occasional or incidental credit balance in an 'open end credit plan' as defined in
13 §1602(i) of this title), as described in regulations of the Board, established primarily for
14 personal, family, or household purposes, but such term does not include an account held by
15 a financial institution pursuant to a bona fide trust agreement...the terms 'open end credit
16 plan' and 'open end consumer credit plan' mean a plan under which the creditor
17 reasonably contemplates repeated transactions, which prescribes the terms of such
18 transactions, and which provides for a finance charge which may be computed from time
19 to time on the outstanding unpaid balance" or credit obligation with Defendant;

20 j. Plaintiff did not issue any order to credit reporting agencies to furnish
21 Plaintiff's consumer report to Defendant;

22 k. No head of state or local child support enforcement agency requested credit
23 reporting agencies to provide Plaintiff's consumer reports to Defendant;

24 l. No agency administering a state plan under § 454 of the social security act
25 (42 U.S.C. § 654) requested credit reporting agencies to provide Plaintiff's consumer
26 report to Defendant;

27 m. Plaintiff did not apply for any license or other benefit granted by a
28 government instrumentality through Defendant;

1 n. Plaintiff did not receive any “firm offer of credit or insurance” from
2 Defendant.

3 35. Defendant violated 15 U.S.C. § 1681 by ignoring Plaintiff’s written disputes and
4 requests for proof that the credit inquiries were run for a purpose recognized by law.

5 36. Defendant conducted the above described credit reviews of Plaintiff’s records
6 without communicating to him any debts and confirming the validity of any such alleged debts,
7 even if such alleged debts did exist and were in its possession for collections.

8 37. Based on information and belief, Defendant had no lawful purpose for requesting,
9 obtaining, and using Plaintiff’s consumer report from Experian on 12/5/2011. Therefore,
10 Defendant’s request, acquisition, and use of Plaintiff’s consumer report was in violation of the
11 FCRA, 15 U.S.C 15 § 1681b(f).

12 38. Defendant’s failure to comply with the FCRA when it requested, obtained, and used
13 Plaintiff’s Experian consumer report on 12/5/2011, was willful, as contemplated under 15 U.S.C.
14 § 1681n under the FCRA. Defendant’s said conduct damaged Plaintiff.

15 39. In the alternative, Defendant’s failure to comply with the FCRA when it requested,
16 obtained, and used Plaintiff’s consumer report on 12/5/2011 was negligent, as contemplated under
17 15 U.S.C. § 1681o of the FCRA. Defendant’s said conduct damaged Plaintiff.

18 40. On March 4, 2013, Plaintiff sent a letter to Defendant herein to mitigate their
19 damages, if any, and reach an equitable settlement without the need for litigation due their reckless
20 violation of The Fair Credit Reporting Act by accessing Plaintiff’s credit report without
21 permissible purposes per 15 U.S.C. § 1681 et seq. (Exhibit “B”)

22 41. Discovery of Defendant’s violation of the FCRA, 15 U.S.C § 1681b(f) occurred in
23 August 2012 and is within the statute of limitations as defined by the FCRA, 15 U.S.C § 1681p.

24 42. In committing the acts against plaintiff as above alleged, Defendant subjected
25 plaintiff to unfair credit reporting practices. Their violations include at least the following:

26 a. Willfully obtaining and reviewing plaintiff’s credit report from Experian
27 without having permissible purpose as required by 15 U.S.C. §1681n.

28 b. Negligently obtaining Plaintiff’s consumer report without a permissible

1 purpose as defined by 15 U.S.C. §1681o.

2 43. Based on information and belief, the credit reviews and the credit inquiries were
3 used as collection tactics by Defendant with intent to obtain information and thereby unfair
4 advantage over plaintiff and/or harm plaintiff's good name and credit rating. The accusations
5 stated in this cause of action directly relate to the allegations asserted through this complaint.

6 44. As a result of these unauthorized actions by Defendant, plaintiff has suffered
7 damages and is entitled to actual damages, punitive damages as the court may allow, as well as
8 reasonable costs and attorney's fees pursuant to 15 U.S.C. §1681(n).

9
10 **SECOND CLAIM FOR RELIEF**
VIOLATION OF CALIFORNIA CONSUMER CREDIT REPORTING AGENCIES ACT

11 45. Paragraphs 1 through 44 are re-alleged as though fully set forth herein.

12 46. Plaintiff is a consumer within the meaning of the FCRA, Title 15 U.S.C. §
13 1681a(c).

14 47. Experian is a consumer reporting agency within the meaning of FCRA, Title 15
15 U.S.C. § 1681a(f).

16 48. Consumer report is a consumer report within the meaning of the FCRA, Title 15
17 U.S.C. §1681a(d).

18 49. The Fair Credit Reporting Act, Title 15 U.S.C. §1681b defines the permissible
19 purposes for which a person may obtain a consumer credit report.

20 50. Defendant is a furnisher of information within the meaning of Fair Credit
21 Reporting Act, Title 15 U.S.C. 1681s-2.

22 51. On 12/5/2011, Defendant obtained Plaintiff's consumer report without any
23 permissible purpose and without Plaintiff's consent, which constitutes a willful and gross violation
24 of California Consumer Credit Reporting Agencies Act §1785.19 and §1785.11(c).

25 52. Plaintiff has never been informed, nor notified by Defendant, by any lawful means
26 for any permissible purpose in justifying the pulling of Plaintiff Credit/Debt History which
27 constitutes a statutory violation under California Consumer Credit Reporting Agencies Act,
28 Title §1785.19.

53. Defendant had a duty of due care to properly ascertain if there was a permissible purpose under California Consumer Credit Reporting Agencies Act §1785.19, before obtaining Plaintiff's consumer report and obtain Plaintiff's consent prior to arbitrarily pulling Credit/Debt Report, which constitutes a breach of a Duty of due care by Defendant for failing to do so.

54. Plaintiff had no account established with Defendant that would have given Defendant any permissible purpose to obtain Plaintiff's consumer report and therefore Plaintiff is entitled to damages for statutory violation and breach of said duty.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against Defendant as follows:

1. For statutory damages pursuant to 15 U.S.C. §1681n and 15 U.S.C. §1681o (a).
2. For statutory damages pursuant to *California Civil Code* §1785.31.
3. For punitive damages that would include any adverse ruling in state court.
4. For Plaintiff's costs in this action.
5. For reasonable attorney's fees incurred herein.
6. For such other and further relief as the Court may deem just and proper.

JURY TRIAL DEMAND

Plaintiff demands a trial by jury on all triable issues.

DATED this 23 day of September,
2013.

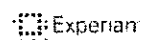
By: 

Jim Q. Tran
Attorney For Plaintiff

EXHIBIT

A

CARLA MARIA CREHIN
Report As Of: 8/23/2012



Credit Inquiries

Here you will find the names of those who have obtained a copy of your credit report, including lenders, landlords and employers. Remember, inquiries remain on your report for up to 2 years.

ARS NATIONAL SERVICES	Experian	Equifax	TransUnion
	Business Name ARS NATIONAL SERVICES Inquiry Date 12/5/2011 Business Type Other Collection Agencies		
760-735-2700 201 W GRAND AVE ESCONDIDO, CA 92025			

EXHIBIT

B

1
2 Carla Maria Crehin
3 27763 Antonio Pkwy #L1-503
4 Ladera Ranch, CA 92694

5 ARS National Services
6 201 W. Grand Ave.
7 Escondido, CA 92025

8 March 4th, 2013

9 Re: Intent to Sue – Violations of Federal Statutes

10 **NOTICE OF PENDING LAWSUIT**

11 To Whom It May Concern:


12 ARS National Services illegally reported an alleged debt that showed me as a debtor. I don't
13 know who you are and I don't have a contract with you; we had no business relationship. Your
14 illegal action caused my credit score to drop. I demand that you pay me \$2000 as settlement for
your violations of the law at my expense.

15 If you do not agree to these terms, I will defend myself by invoking a Federal lawsuit against
16 ARS National Services for violations of the Fair Credit Reporting Act, Fair Debt Collection
17 Practices Act 15 U.S.C. § 1692f and 1692(f)(1) and 15 U.S.C. § 2042g(b). This lawsuit will name
ARS National Services, and potentially its counsels involved in this unlawful act.

18 You have until March 14, 2013 to comply with this demand and provide me with proof of your
19 actions (i.e., a letter confirming your response, and a check for the required amount).

20 Please inform me of your intentions immediately via writing; email is acceptable. If I do not hear
21 from you, I assure you that I will follow through with the actions listed above. Your refusal to
22 respond will be taken as a tacit admission that you are in violation of the law and wish these
23 issues to be adjudicated in Federal court. I will entertain your settlement agreement. Barring lack
of response from you in this matter we will proceed to the Federal Court to resolve it. Don't
make the mistake of ignoring this. The ball is in your court. Consider yourselves warned!

24 Sincerely,

25 
26
27 Carla Maria Crehin
28

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF ASSIGNMENT TO UNITED STATES JUDGES

This case has been assigned to District Judge Stephen V. Wilson and the assigned
Magistrate Judge is Jean P. Rosenbluth.

The case number on all documents filed with the Court should read as follows:

SACV13-01497 SVW (JPRx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge.

Clerk, U. S. District Court

September 24, 2013

Date

By A. Gonzalez
Deputy Clerk

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Western Division
312 N. Spring Street, G-8
Los Angeles, CA 90012 | <input type="checkbox"/> Southern Division
411 West Fourth St., Ste 1053
Santa Ana, CA 92701 | <input type="checkbox"/> Eastern Division
3470 Twelfth Street, Room 134
Riverside, CA 92501 |
|--|--|---|

Failure to file at the proper location will result in your documents being returned to you.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**I. (a) PLAINTIFFS** (Check box if you are representing yourself ☐)

CARLA MARIA CREHIN

DEFENDANTS (Check box if you are representing yourself ☐)

ARS NATIONAL SERVICES

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same information.)JIM Q. TRAN (SBN# 274880)
COAST LAW CENTER
2677 NORTH MAIN STREET, SUITE #520
SANTA ANA, CA 714-242-5939**(b) Attorneys** (Firm Name, Address and Telephone Number. If you are representing yourself, provide same information.)**II. BASIS OF JURISDICTION** (Place an X in one box only.)

- ☐ 1. U.S. Government Plaintiff ☒ 3. Federal Question (U.S. Government Not a Party)
- ☐ 2. U.S. Government Defendant ☐ 4. Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES-For Diversity Cases Only
(Place an X in one box for plaintiff and one for defendant)

- | | | | | | |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in this State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. ORIGIN (Place an X in one box only.)

- ☒ 1. Original Proceeding ☐ 2. Removed from State Court ☐ 3. Remanded from Appellate Court ☐ 4. Reinstated or Reopened ☐ 5. Transferred from Another District (Specify) ☐ 6. Multi-District Litigation

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check "Yes" only if demanded in complaint.)**CLASS ACTION** under F.R.Cv.P. 23: ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT:** \$ 1000**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
Violation of Fair Credit Reporting Act, 15 U.S.C 1681**VII. NATURE OF SUIT** (Place an X in one box only.)

OTHER STATUTES	CONTRACT	REAL PROPERTY CONT.	IMMIGRATION	PRISONER PETITIONS	PROPERTY RIGHTS
<input type="checkbox"/> 375 False Claims Act	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 462 Naturalization Application	Habeas Corpus:	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 290 All Other Real Property	TORTS	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 140 Negotiable Instrument	PERSONAL PROPERTY	PERSONAL PROPERTY	<input type="checkbox"/> 530 General	SOCIAL SECURITY
<input type="checkbox"/> 450 Commerce/ICC Rates/Etc.	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	Other:	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.)	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 863 DIWC/DIWW (405 (g))
<input checked="" type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits	<input type="checkbox"/> 340 Marine	BANKRUPTCY	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 865 RSI (405 (g))
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 560 Civil Detainee Conditions of Confinement	FEDERAL TAX SUITS
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 423 Withdrawal 28 USC 157	FORFEITURE/PENALTY	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 891 Agricultural Acts	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 355 Motor Vehicle Product Liability	CIVIL RIGHTS	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
<input type="checkbox"/> 893 Environmental Matters	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 690 Other	
<input type="checkbox"/> 895 Freedom of Info. Act	REAL PROPERTY	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 441 Voting	LABOR	
<input type="checkbox"/> 896 Arbitration	<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 710 Fair Labor Standards Act	
<input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 720 Labor/Mgmt. Relations	
<input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 445 American with Disabilities-Employment	<input type="checkbox"/> 740 Railway Labor Act	
			<input type="checkbox"/> 446 American with Disabilities-Other	<input type="checkbox"/> 751 Family and Medical Leave Act	
			<input type="checkbox"/> 448 Education	<input type="checkbox"/> 790 Other Labor Litigation	
				<input type="checkbox"/> 791 Employee Ret. Inc. Security Act	

SACV13-01497 SVW (JPRx)

FOR OFFICE USE ONLY:

Case Number:

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA

CIVIL COVER SHEET

VIII. VENUE: Your answers to the questions below will determine the division of the Court to which this case will most likely be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

Question A: Was this case removed from state court? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no," go to Question B. If "yes," check the box to the right that applies; enter the corresponding division in response to Question D, below, and skip to Section IX.	STATE CASE WAS PENDING IN THE COUNTY OF:		INITIAL DIVISION IN CACD IS:
	<input type="checkbox"/> Los Angeles		Western
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo		Western
	<input type="checkbox"/> Orange		Southern
	<input type="checkbox"/> Riverside or San Bernardino		Eastern

Question B: Is the United States, or one of its agencies or employees, a party to this action? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no," go to Question C. If "yes," check the box to the right that applies; enter the corresponding division in response to Question D, below, and skip to Section IX.	If the United States, or one of its agencies or employees, is a party, is it:		INITIAL DIVISION IN CACD IS:
	A PLAINTIFF? Then check the box below for the county in which the majority of DEFENDANTS reside.	A DEFENDANT? Then check the box below for the county in which the majority of PLAINTIFFS reside.	
	<input type="checkbox"/> Los Angeles	<input type="checkbox"/> Los Angeles	Western
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	Western
	<input type="checkbox"/> Orange	<input type="checkbox"/> Orange	Southern
	<input type="checkbox"/> Riverside or San Bernardino	<input type="checkbox"/> Riverside or San Bernardino	Eastern
	<input type="checkbox"/> Other	<input type="checkbox"/> Other	Western

Question C: Location of plaintiffs, defendants, and claims?	A. Los Angeles County	B. Ventura, Santa Barbara, or San Luis Obispo Counties	C. Orange County	D. Riverside or San Bernardino Counties	E. Outside the Central District of California	F. Other
Indicate the location in which a majority of plaintiffs reside:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of defendants reside:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of claims arose:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

C.1. Is either of the following true? If so, check the one that applies: <input checked="" type="checkbox"/> 2 or more answers in Column C <input type="checkbox"/> only 1 answer in Column C and no answers in Column D Your case will initially be assigned to the SOUTHERN DIVISION. Enter "Southern" in response to Question D, below. If none applies, answer question C2 to the right. →	C.2. Is either of the following true? If so, check the one that applies: <input type="checkbox"/> 2 or more answers in Column D <input type="checkbox"/> only 1 answer in Column D and no answers in Column C Your case will initially be assigned to the EASTERN DIVISION. Enter "Eastern" in response to Question D, below. If none applies, go to the box below. ↓
Your case will initially be assigned to the WESTERN DIVISION. Enter "Western" in response to Question D below.	

Question D: Initial Division?	INITIAL DIVISION IN CACD
Enter the initial division determined by Question A, B, or C above: →	Southern Division

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA

CIVIL COVER SHEET

IX(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ NO ☐ YES

If yes, list case number(s): _____

IX(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ NO ☐ YES

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
- ☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
- ☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
- ☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

**X. SIGNATURE OF ATTORNEY
(OR SELF-REPRESENTED LITIGANT):**

DATE: 9.24.2013

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet).

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))

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 2677 NORTH MAIN STREET, SUITE 520

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

CARLA MARIA CREHIN

CASE NUMBER

PLAINTIFF(S)

SACV13-01497 SVW (JPRx)

v.

ARS NATIONAL SERVICES

SUMMONS

DEFENDANT(S).

TO: DEFENDANT(S):

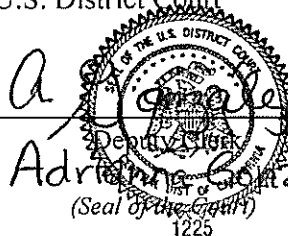
A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, JIM Q. TRAN, whose address is 2677 NORTH MAIN STREET, SUITE 520 SANTA ANA, CA. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

Dated: 9-24-13

By: Adriana Gonzalez



[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].